

**Adjournment Motion *re.* Eviction of the
Valans of Thoosam.**

President.—The Member for Trichur has given notice of a motion for or the adjournment of the business of the Council for the purpose of discussing a matter of urgent public importance, namely, *“the policy involved in the memos issued by the Government to the Valans of Thoosam to vacate their homesteads within a fortnight of the date of the memos without any payment for value of improvements, and threatening them with proceedings under the Land Conservancy Regulation.”*

Motion put and carried.

President.—The motion will be taken up at 3-30 this after-noon.

Muslim Succession Bill.

President.—Mr. Seethi will move that the Muslim Succession Bill be taken up and passed.

Mr. K. M. Ibrahim.—For him another Member may move, because it is the third reading.

President.—Yes.

Mr. K. M. Ibrahim.—I move that the Muslim Succession Bill be taken up and passed into law.

Mr. A. Sankara Menon.—I second it.

Motion put and carried.

Muslim Women's Marriage Dissolution Bill.

Mr. K. M. Ibrahim.—I move that the Muslim Women's Marriage-Dissolution Bill be taken up and passed into law.

Mr. A. Sankara Menon.—I second it.

Motion put and carried.

Free Compulsory Primary Education Bill.

Mr. K. T. Mathew.—I move that the Cochin Free Compulsory Primary Education Bill be read in Council.

Dr. A. R. Menon.—I second it.

Motion put and carried.

Secretary to the Council.—The title of the Bill is “The Cochin Free Compulsory Primary Education Bill”.

Mr. I. N. Menon.—Sir, I wish to say that the introduction of this Bill will not be in the interests of the State.

President.—The motion has already been carried.

Mr. I. N. Menon.—I could not make out what you said. I crave your indulgence.

Dr. A. R. Menon.—On a similar question the Chair ruled that you were too late.

President.—I am afraid the motion is passed.

Mr. K. T. Mathew.—I move that the Bill be referred to a Select Committee consisting of Messrs. K. M. Ibrahim, P. C. Virkey, Joseph Pettah, P. Kumaran Ezhuthassan, K. Ayyappan, T. K. Nayar, Dr. A. R. Menon and also the Government Advocate and the mover.

Mr. A. Sankara Poduval.—I beg to oppose this motion because there has not been sufficient time.

President.—I do not think this is seconded.

Mr. K. M. Ibrahim.—I second it.

Mr. A. Sankara Poduval.—The Cochin public has not had sufficient time to go into the merits of the Bill and unless sufficient time be given it will be premature for the appointment of a Select Committee for this Bill. I therefore beg to oppose at this stage. This may lie over.

Mr. I. N. Menon.—Sir, I wish to say a word or two. I wish to oppose the introduction of this Bill.

President.—You cannot oppose the introduction of the Bill. You can object to the appointment of a Select Committee.

Mr. I. N. Menon.—I beg your pardon for using those words. If this is to be sent to the Select Committee now, as the Hon'ble Member for Trichur has pointed out, it appears that there has been very little time for both officials and non-officials to look into the question and the consequences which this Bill involves. If this is passed into law it involves additional expenditure. There is no use of placing this law on the Statute Book unless education is made compulsory. In the second place, Sir, many of the provisions of the Bill are already found in some of the recommendations on the survey report and Government are going to appoint a committee to enquire into the recommendations contained in it and it seems to me for both these reasons very inopportune that this Bill should now be referred to the Select Committee.

Mr. A. Sankara Menon.—Sir, I beg to move under Standing Order 26 that the House may pass on to the next item in the order of business.

Mr. A. Sankara Poduval.—I beg to second it.

Dr. A. R. Menon.—I oppose it, Sir. Should not the Member give his reason for opposing it?

President.—Yes.

Dr. A. R. Menon.—Sir, the reason why I rise to oppose this motion is that this matter has been discussed in this Council off and on during the last 7 or 8 years, and there has always been an intention on the part of the Government as well as the

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Members of this House that some sort of compulsion is absolutely necessary to bring the standard of education to the level that we aim at. The intention is not to enforce compulsion all over the State but only in selected areas. Such an amendment may be introduced in the Bill itself. I fail to see why we could not proceed with a measure, a most important measure, that could be introduced by any Legislative Council in the whole of India and it has been our pride that we stand first in education and we want to set an example to the rest of India, that compulsion has been introduced in this State to make it absolutely perfect, so that there may not be a single illiterate person within the border of this country, and this is the most psychological moment to introduce a measure of this nature, when people are thinking about education, proper education—the most important problem of problems of the country—how to give literacy to our people, so that they may be able to take part in the Government of the nation. We were saying the other day that adult suffrage should be extended, and quite rightly too. But what is the value of adult franchise when a person does not know how to read and write? Therefore education is the first thing necessary and it presupposes every expansion of Government and every expansion of national activities. Without education it is impossible to give the fullest benefit to the measures that Government may undertake on behalf of the people. For all these reasons it is a most important measure and I think that this ought not to be postponed. For these reasons I oppose the motion for adjournment.

Mr. C. A. Ouseph.—Sir, I also oppose this motion. My reason is simply this. As far back as 1091 the Government of Cochin has seen that unless free primary education is compulsorily brought into the State we cannot expect education to permeate all masses.

Mr. A. Sankara Poduval.—Just the other way.

Mr. C. A. Ouseph.—It is all wrong. Government were saying that without introducing compulsion, they were able to get nearly 70, 75, and in one year 114 per cent of the children of school-going age, but now when the last census report came, we saw that it is less than 60 per cent. It was in the time of Sir Joseph Bore, in 1091, that in the administration report it was stated that the only way of getting the people educated is by introducing free compulsory education. Now 17 years have elapsed and the number of children of school-going age that received education is only less than 60 per cent. What about the remaining 40 per cent that now remain uneducated? The 40 per cent have all gone into the realms of ignorance all these 17 years. So that there is absolutely no meaning in opposing this

motion for having free compulsory education in the State. I suppose the Director will certainly agree with me in thinking that without the introduction of the element of compulsion the Government cannot expect all children educated. The cost may be heavy. But ways and means will have to be found out. We may have to cut the pay of the officers.

Dr. A. R. Menon.—The motion is only for adjournment. He is entering on the Bill itself.

Mr. Joseph Pettah.—He is speaking only on the urgency of the Bill, so that the matter cannot be passed over.

Mr. K. T. Mathew.—It has been pointed out by the Hon'ble Member in charge of the department that there has not been sufficient time for the public and the Government to consider the question involved in this Bill. I make bold to say that this Bill has been pending for a very long time. May I say that no Bill has been pending for a longer time than this?

Mr. George Chakyamuri.—Pending where?

Mr. K. T. Mathew.—Pending before the public. It was first published in the Gazette some 4 or 5 years ago and afterwards on the strength of such publication I requested the Government to grant me sanction to proceed with the Bill. But the Government asked me again to get the permission and I sought for it and obtained. So I may inform this House that no Bill has been before the public for a longer period than this Bill. Further the question of compulsory primary education has many a time been discussed in this Council. Some of the Members in this House had moved resolutions for introducing compulsory primary education for some classes or communities. Further, the question of introducing compulsory primary education had long ago received the attention of the Government and in support of this, I may read a passage from the Administration Report.

Mr. A. Sankara Menon.—On a point of order. We are going into the merits of the Bill.

Mr. K. T. Mathew.—I shall read a passage from the Administration Report of 1934.

"No class may be allowed to lag behind and it will be the duty of the State to provide a system of free and compulsory education which is the only guarantee for an ordered advance all along the line." That was the opinion of the Government in 1934.

Mr. George Chakyamuri.—I support the motion for adjournment. I fail to appreciate the argument of the Hon'ble Member that the Bill has been pending for long time now. As far as the other Members are concerned, it is only the publica-

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tion in the Gazette that matters and I think it appeared only in the last issue. The Bill might have been submitted a long time before. That does not make the Bill pending. This is a very important measure. No doubt it is a very desirable measure, but it necessarily involves an additional taxation and the citizens should have full opportunity to ventilate their views. There is no use of passing it and keeping it a dead letter. The taxpayer has every right to ventilate his views on this matter and an opportunity must be given for that. Another aspect of the question is that we have already taken up the question of re-organising our education. There is the report of the Director of Public Instruction what is called the survey report and a committee is going to be instituted, to know how and where we stand in this matter of education. What is the use of this House rushing through a compulsory education Bill at this stage? I beg to submit that this is a very strong argument in favour of postponing the consideration of the present Bill. The Director of Public Instruction was just now pleased to tell us that there are a large number of venture schools in the State and that his department is still continuing to aid those venture schools. Let us first put the house in order before we venture on new legislation. Let us have the benefit of the Committee's views regarding the present state and then we can think of compulsion. For these reasons I support the motion for adjournment.

Mr. Joseph Pettah.—I beg to oppose the motion for passing on to the next item. We were on the question of referring the Bill to a Select Committee and if we were to pass on to the next item it means that the Select Committee will not be appointed. That is all. We don't gain any time. The Bill will come and the Bill can come according to Standing Order No. 32. After 15 days the Bill can come and it means that the Bill may come into the House without the benefit of the consideration of the Select Committee. The Members who were asking for the postponement have not, perhaps, taken this fact into consideration. We cannot in any way postpone the consideration of the Bill. If we can do that there will be some point in opposing the appointment of a Select Committee. Therefore I do not find any reason why we should pass on to the next item without considering the question of appointing a Select Committee.

Mr. A. Sankara Menon.—One word by way of explanation. I am myself not opposed to free compulsory education, I should not be understood in that sense. I brought this motion under Standing Order No. 26 because I thought it is necessary that the Members should thoroughly understand this Bill. It is

also necessary to see whether at this time of financial depression this task should be undertaken by the Government. Further there is another fact. There is already a survey report. A committee is going to be appointed to look into that report. After that is done it may be time to take up this matter. That is the only reason why I am moving the adjournment and not because I am opposed to the principle of the Bill or that I am opposed to free compulsory education.

Motion put and carried.

Dr. A. R. Menon.—Poll, Sir.

The House divided—Ayes 26 and Noes 13.

Ayes.

- 1 Mr. K Achyuta Menon
- 2 „ V K Aravindaksha Menon
- 3 „ C Barton Wright
- 4 „ M A Chakko
- 5 „ M P Cherian
- 6 „ A Eachara Menon
- 7 „ George Chakyamuri
- 8 Dr. A G Menon
- 9 Mr. U Kandar Menon
- 10 „ P S Kesavan Nambudiri
- 11 „ S S Koder
- 12 „ M Krishna Menon
- 13 „ P Krishna Menon

- 14 Mr. C J Mathew
- 15 „ T Narayana Menon
- 16 „ I N Menon
- 17 „ P Nilakanta Menon
- 18 „ M K Raman
- 19 „ P Raman Menon
- 20 Rama Varmha Tampuran
- 21 Dr. D Raghavendra Rao
- 22 Mr. P V Raphael
- 23 „ A Sankara Menon
- 24 Dr. K Sankara Menon
- 25 Mr. A Sankara Puduval
- 26 „ P V Subramania Ayyar

Noes.

- 1 Mr. K Ayyappan
- 2 „ K M Ibrahim
- 3 „ E Ikkanda Warriar
- 4 „ T K Nayar
- 5 „ P Kumaran Ezhuthassan
- 6 „ Paul Mampilli

- 7 Mr. A I Mami
- 8 „ K T Mathew
- 9 „ C A Ouseph
- 10 „ Joseph Pettah
- 11 „ T A Ramachandra Ayyar
- 12 Dr. A R Menon

13 Mr. K. P. Vallon

Prevention of Dangerous Diseases Bill.

President.—Mr. K. T. Mathew will introduce the Prevention of Dangerous Diseases Bill.

Mr. K. T. Mathew.—Sir, I move that the Prevention of Dangerous Diseases Bill be read in Council.

Mr. K. M. Ibrahim.—I second it.

Motion put and carried.

Secretary to the Council.—The title of the Bill is “The Prevention of Dangerous Diseases Bill.”

Mr. K. T. Mathew.—I move that the Bill may be referred to a Select Committee consisting of:—

Dr. A. G. Menon

„ K. Sankara Menon

Mr. George Chakyamuri